

contractor or contractors, the amount stated in said notice as agreed to be paid to the subcontractor or subcontractors, and said office shall pay said amount, upon the certificate of the Postmaster General, to the subcontractor or subcontractors, under the same rules and regulations governing the payments made to original contractors. Upon satisfactory evidence that the original contractor or contractors have paid off and discharged the amount due under his or their contract to the subcontractor or subcontractors, it shall be the duty of the Postmaster General to certify such fact to the General Accounting Office; and thereupon said office shall settle with the original contractor or contractors, under the same rules, as are provided by law for such settlements. (May 17, 1878, c. 107, § 3, 20 Stat. 62; July 28, 1916, c. 261, § 1, 39 Stat. 418; June 10, 1921, c. 18, § 304, 42 Stat. 24.)

**§ 447. Cancellation of contract sublet; subcontractor's rights.** Whenever any contractor or subcontractor shall sublet his contract for the transportation of the mail on any route for a less sum than that for which he contracted to perform the service, the Postmaster General may, whenever he shall deem it for the good of the service, declare the original contract at an end, and enter into a contract with the last subcontractor, without advertising, to perform the service on the terms at which the last subcontractor agreed with the original contractor or former subcontractor to perform the same. Such last subcontractor shall enter into a good and sufficient bond and the original contractor shall not be released from his contract until a good and sufficient bond has been made by such last subcontractor and accepted by the Post Office Department. When a contract is declared void on account of its having been sublet, the contractor shall not be entitled to one month's extra pay as formerly provided. Where any person, corporation, or partnership shall have contracts for the performance of mail service upon more than one route, and any failure to perform the service according to contract on any one or more of such routes shall occur, no payment shall be made for service on any of the routes under contract with such person, corporation, or partnership until such failure has been removed and all penalties therefor fully satisfied. (May 4, 1882, c. 116, § 1, 22 Stat. 53.)

**§ 448. Services performed for contractor or subcontractor.** If any person shall hereafter perform any service for any contractor or subcontractor in carrying the mail, he shall, upon filing in the department his contract for such service and satisfactory evidence of its performance, thereafter have a lien on any money due such contractor or subcontractor for such service to the amount of same; and if such contractor or subcontractor shall fail to pay the party or parties who have performed service as aforesaid the amount due for such service within two months after the expiration of the month in which such service shall have been performed the Postmaster General may cause the amount due to be paid said party or parties and charged to the contractor. Such payment shall not in any case exceed the rate of pay per annum of the contractor or subcontractor. (May 18, 1916, c. 126, § 9, 39 Stat. 162.)

**§ 449. Water-route contracts.** When from any cause it may become necessary to make a new contract for carrying the mails upon any water route between the ports of the United States, upon which mail service has previously been performed, the Postmaster General may contract with the owner or master of any steamship, steamboat, or other vessel plying upon the waters or between ports of the United States, for carrying the mail upon said route for any length of time not exceeding four years and without advertising for proposals therefor whenever the public interest and convenience will thereby be promoted; but the price paid for such service shall in no case be greater than the average price paid under the last preceding or then existing regular contract upon the same route. And the Postmaster General may contract with the owners or masters of steamships, steamboats, or other vessels plying upon the waters or be-

tween ports of the United States for carrying the mails upon such routes where no mail service has previously been performed, without advertising for proposals therefor; but no contract for such new service shall be for a longer time than one year. No contract for carrying the mails between the United States and any foreign port shall be for a longer time than two years, unless otherwise directed by Congress. (R. S. § 3943; May 17, 1878, c. 107, § 5, 20 Stat. 62.)

R. S. § 3943 from Act June 8, 1872, c. 335, § 264, 17 Stat. 316.

See section 891h of Title 46.

**§ 450. Water routes; carriage of mails as freight or express.** When there is no competition on a route and the rate of compensation asked is excessive, or no proposal is received, the Postmaster General may require that the mails be carried as freight or express, and it shall be unlawful for any common carrier by water to refuse to carry the mails when so required, and the penalty for such offense shall be a fine of \$500. Each day of refusal shall constitute a separate offense. (July 2, 1918, c. 117, § 1, 40 Stat. 747.)

**§ 451. Star routes served entirely by Rural Delivery Service.** No part of the appropriation for inland transportation by star routes shall be expended for continuance of any star-route service the patronage of which shall be served entirely by the extension of Rural Delivery Service, nor shall any of said sum be expended for star-route service for a patronage a major portion of which has been served by Rural Delivery Service, unless the services of a qualified rural carrier cannot be secured. (July 2, 1918, c. 117, § 1, 40 Stat. 751.)

### Chapter 13.—AIR MAIL

Sec.

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**Section 461. Short title.** Sections 461 to 465 of this chapter may be cited as the "Air Mail Act." (Feb. 2, 1925, c. 128, § 1, 43 Stat. 805.)

**§ 462. Air mail defined.** When used in sections 463 to 465 of this title the term "air mail" means first-class mail prepaid at the rates of postage herein prescribed. (Feb. 2, 1925, c. 128, § 2, 43 Stat. 805.)

**§ 463. Same; postage rates.** Effective July 1, 1934, the rate of postage on air mail shall be 6 cents for each ounce or fraction thereof. (Feb. 2, 1925, c. 128, § 3, 43 Stat. 805; May 17, 1928, c. 603, § 1, 45 Stat. 594; June 12, 1934, c. 466, § 2 (a), 48 Stat. 933.)

**§ 464. Same; contracts for transportation of air mail.** [Repealed.]

This section (Act Mar. 1, 1921, c. 88, § 1, 41 Stat. 1152; Act Feb. 2, 1925, c. 128, § 4, 43 Stat. 805; Act June 3, 1926, c. 460, 44 Stat. 692; Act Apr. 29, 1930, c. 223, § 1, 46 Stat. 259) was repealed by Act June 12, 1934, c. 466, § 1, 48 Stat. 933. See section 469a of this title.

**§ 465. Same; rules and regulations.** The Postmaster General may make such rules, regulations, and orders as may be necessary to carry out the provisions of sections 462 to 465 of this title. Nothing in such sections shall be construed to interfere with the postage charged or to be charged on Government-operated air-mail routes. (Feb. 2, 1925, c. 128, § 5, 43 Stat. 806.)

**§ 465a. Air mail to foreign countries and insular possessions; contracts for transportation.** When in his judgment the public interest will be promoted thereby the Postmaster General is authorized to enter into contracts for air-mail service on routes between the United States and possessions or Territories of the United States, between possessions or Territories of the United States, between the United States or possessions or Territories of the United States and foreign countries, and in and between foreign countries, for the transportation of mails of the United States and its possessions or Territories both ways over the routes, and in addition thereto mails of other countries on the outbound or the inbound flights under arrangements he may make with such countries, for periods of not more than ten years, and to pay for such service at fixed rates per pound and/or per mile; and the Postmaster General is hereby authorized to award such contracts to the bidders that he shall find to be the lowest responsible bidders that can satisfactorily perform the service required to the best advantage of the Government: *Provided*, That the rate to be paid for such service for the load of mails provided by the Postmaster General to be carried in a plane shall not in any case exceed \$2 per mile each way, plus not exceeding \$1 per pound per thousand miles or pro rata thereof for greater or less mileage, for any mails required to be carried in the same plane in excess of the specified load, and that, at the request of the Postmaster General, domestic mail shall be conveyed without additional charge on that part of the route in the United States to the border of the United States and to intermediate points: *Provided further*, That the Postmaster General may make arrangements with concessionaires operating air-mail service in foreign countries for transportation by their service of mails of the United States and its possessions or Territories: *And provided further*, That in the award and interpretation of the contracts herein authorized the decision of the Postmaster General shall be final and not subject to review by any officer or tribunal of the United States except by the President and the Federal courts. (Mar. 8, 1928, c. 149, § 1, 45 Stat. 248; Mar. 2, 1929, c. 478, § 1, 45 Stat. 1449.)

**§ 465b. Same; rules and regulations.** The Postmaster General shall make and issue such rules and regulations as may be necessary to carry out the provisions of section 465a of this title. (Mar. 8, 1928, c. 149, § 2, 45 Stat. 248; Mar. 2, 1929, c. 478, § 2, 45 Stat. 1450.)

**§ 465c. Air-mail contracts; substitution of air-mail route certificates; rate of compensation; cancellation of certificate.** [Repealed.]

This section (Act Feb. 2, 1925, c. 128, § 6; Act May 17, 1928, c. 603, § 2, 45 Stat. 594; Act Apr. 29, 1930, c. 223, § 2, 46 Stat. 259) was repealed by Act June 12, 1934, c. 466, § 1, 48 Stat. 933.

**§ 465d. Extensions and consolidations of routes.** [Repealed.]

This section (Act Feb. 2, 1925, c. 128, § 7; Act Apr. 29, 1930, c. 223, § 3, 46 Stat. 260) was repealed by Act June 12, 1934, c. 466, § 1, 48 Stat. 933.

**§ 465e. Service to Canada.** [Repealed.]

This section (Act Feb. 2, 1925, c. 128, § 8; Act Apr. 29, 1930, c. 223, § 3, 46 Stat. 260) was repealed by Act June 12, 1934, c. 466, § 1, 48 Stat. 933. See section 469n of this title.

**§ 465f. Contracts for transportation of air mail to new points; adequacy of appropriation as condition precedent.** [Repealed.]

This section (Act Feb. 2, 1925, c. 128, § 9; Act Apr. 29, 1930, c. 223, § 3, 46 Stat. 260) was repealed by Act June 12, 1934, c. 466, § 1, 48 Stat. 933.

**§ 466. Aeroplanes for aeroplane-mail service.** [Temporary.]

This section (Act Mar. 3, 1917, c. 162, § 1, 39 Stat. 1064; Act Feb. 28, 1919, c. 69, § 1, 40 Stat. 1194) is temporary.

**§ 467. Purchase of equipment and supplies for aeroplane-mail service.** [Temporary.]

This section (Act Feb. 28, 1919, c. 69, § 1, 40 Stat. 1194) is temporary.

**§ 468. Sale of unsuitable aviation material.** The Postmaster General may sell under such rules and regulations as he may prescribe any airplanes, parts thereof, field equipment, tools, and other aviation material which have become unsuitable in the Postal Service or which will deteriorate and become unsuitable before it can be used. The proceeds of such sales shall be covered into the Treasury as "Miscellaneous receipts." (June 5, 1920, c. 253, § 1, 41 Stat. 1031.)

**§ 469. Definitions.** When used in sections 463 and 469 to 469s of this title—

(1) The term "air mail" means mail of any class prepaid at the rate of postage prescribed in subsection (a) of this section.

(2) The term "person" includes an individual, partnership, association, or corporation.

(3) The term "pilot" includes copilot. (June 12, 1934, c. 466, § 2 (b), 48 Stat. 933.)

**§ 469a. Contracts; base rate of pay; transfer; routes.** (a) The Postmaster General is authorized to award contracts for the transportation of air mail by airplane between such points as he may designate, and for initial periods of not exceeding one year, to the lowest responsible bidders tendering sufficient guaranty for faithful performance in accordance with the terms of the advertisement at fixed rates per airplane-mile: *Provided*, That where the Postmaster General holds that a low bidder is not responsible or qualified under sections 463 and 469 to 469s of this title, such bidder shall have the right to appeal to the Comptroller General, who shall speedily determine the issue, and his decision shall be final: *Provided further*, That the base rate of pay which may be bid and accepted in awarding such contracts shall in no case exceed 33½ cents per airplane-mile for transporting a mail load not exceeding three hundred pounds. Payment for transportation shall be at the base rate fixed in the contract for the first three hundred pounds of mail or fraction thereof plus one-tenth of such base rate for each additional one hundred pounds of mail or fraction thereof, computed at the end of each calendar month on the basis of the average mail load carried per mile over the route during such month, except that in no case shall payment exceed 40 cents per airplane-mile.

(b) No contract or interest therein shall be sold, assigned, or transferred by the person to whom such contract is awarded, to any other person without the approval of the Postmaster General; and upon any such transfer without such approval, the original contract, as well as such transfer, shall at the option of the Postmaster General become null and void.

(c) If, in the opinion of the Postmaster General, the public interest requires it, he may grant an extension of any route, for a distance not in excess of one hundred miles, and only one such extension shall be granted to any one person, and the rate of pay for such extension shall not be in excess of the contract rate on that route.

(d) The Postmaster General may designate certain routes as primary and secondary routes and shall include at least four transcontinental routes and the eastern and western coastal routes among primary

routes. The character of the designation of such routes shall be published in the advertisements for bids, which bids may be asked for in whole or in part of such routes. The Commission created under section 469r of this title shall review the designations made by the Postmaster General under this subsection, and include in its report to Congress its conclusions reached upon such review.

(e) If on any route only one bid is received, or if the bids received appear to the Postmaster General to be excessive, he shall either reject them or submit the same to the Interstate Commerce Commission for its direction in the premises before awarding the contract.

(f) The Postmaster General shall not award contracts for air-mail routes or extend such routes in excess of an aggregate of twenty-nine thousand miles, and shall not establish schedules for air-mail transportation on such routes and extensions in excess of an annual aggregate of forty million airplane-miles.

(g) Authority is hereby conferred upon the Postmaster General to provide and pay for the carriage of mail by air in conformity with the terms of any contract let by him prior to June 12, 1934, or which may be let pursuant to a call for competitive bids therefor issued prior to June 12, 1934, and to extend any such contract for an additional period or periods not exceeding nine months in the aggregate at a rate of compensation not exceeding that established by sections 463 and 469 to 469s of this title nor that provided for in the original contract: *Provided*, That no such contract may be so extended unless the contractor shall agree in writing to comply with all the provisions of sections 463 and 469 to 469s of this title during the extended period of the contract. (June 12, 1934, c. 466, § 3, 48 Stat. 933; June 26, 1934, c. 762, § 1, 48 Stat. 1243.)

**§ 469b. Advertisement of air-mail routes; before opening bids.** The Postmaster General shall cause advertisements of air-mail routes to be conspicuously posted at each such post office that is a terminus of the route named in such advertisement, for at least twenty days, and a notice thereof shall be published at least once a week for two consecutive weeks in some daily newspaper of general circulation published in the cities that are the termini for the route before the time of the opening of bids. (June 12, 1934, c. 466, § 4, 48 Stat. 934.)

**§ 469c. Period for qualification of bidders; bonds.** After the bids are opened, the Postmaster General may grant to a successful bidder a period of not more than thirty days from the date of award of the contract to take the steps necessary to qualify for mail services under the terms of sections 463 and 469 to 469s of this title: *Provided*, That, at the time of the award, the successful bidder executes an adequate bond with sufficient surety guaranteeing and assuring that, within such period, said bidder will fully qualify under sections 463 and 469 to 469s of this title faithfully to execute and to carry out the terms of the contract: *Provided further*, That, if there is a failure so to qualify, the amount designated in the bond will be forfeited and paid to the United States of America. (June 12, 1934, c. 466, § 5, 48 Stat. 935.)

**§ 469d. Rates; authority of Interstate Commerce Commission to fix; renewal; continuation or termination of contracts; new contracts; procedure.** (a) The Interstate Commerce Commission is hereby empowered and directed, after notice and hearing, to fix and determine by order, as soon as practicable and from time to time, the fair and reasonable rates of compensation for the transportation of air mail by airplane and the service connected therewith over each air-mail route, but not in excess of the rates provided for in sections 463 and 469 to 469s of this title, prescribing the method or methods by weight or space, or both, or otherwise, for ascertaining such rates of compensation, and to publish the same, which shall continue in force until changed by the said Commission after due notice and hearing.

(b) The Interstate Commerce Commission is hereby directed, at least once in every calendar year from the

date of letting of any contract, to review the rates of compensation being paid to the holder of such contract, in order to be assured that no unreasonable profit is resulting or accruing therefrom. In determining what may constitute an unreasonable profit, the said Commission shall take into consideration all forms of gross income derived from the operation of airplanes over the route affected.

(c) Any contract which may hereafter be let or extended pursuant to the provisions of sections 463 and 469 to 469s of this title, and which has been satisfactorily performed by the contractor during its initial or extended period, shall thereafter be continued in effect for an indefinite period, subject to any reduction in the rate of payment therefor, and such additional conditions and terms, as the said Commission may prescribe, which shall be consistent with the requirements of sections 463 and 469 to 469s of this title; but any contract so continued in effect may be terminated by the said Commission upon sixty days' notice, upon such hearing and notice thereof to interested parties as the Commission may determine to be reasonable; and may also be terminated by the contractor at its option upon sixty days' notice. On the termination of any air-mail contract, in accordance with any of the provisions of sections 463 and 469 to 469s of this title, the Postmaster General may let a new contract for air-mail service over the route affected, as authorized in sections 463 and 469 to 469s of this title.

(d) All provisions of sections 524 to 568 of this title, relating to the administrative methods and procedure for the adjustment of rates for carriage of mail by railroads shall be applicable to the ascertainment of rates for the transportation of air mail by airplane under sections 463 and 469 to 469s of this title so far as consistent with the provisions of such sections. For the purposes of this section the said Commission shall also have the same powers as the Postmaster General is authorized to exercise under section 469h of this title with respect to the keeping, examination, and auditing of books, records, and accounts of air-mail contractors, and it is authorized to employ special agents or examiners to conduct such examination or audit, who shall have power to administer oaths, examine witnesses, and receive evidence.

(e) In fixing and determining the fair and reasonable rates of compensation for air-mail transportation, the Commission shall give consideration to the amount of air mail so carried, the facilities supplied by the carrier, and its revenue and profits from all sources, and from a consideration of these and other material elements, shall fix and establish rates for each route which, in connection with the rates fixed by it for all other routes, shall be designed to keep the aggregate cost of the transportation of air mail on and after July 1, 1938, within the limits of the anticipated postal revenue therefrom. (June 12, 1934, c. 466, § 6, 48 Stat. 935.)

**§ 469e. Interest of contractors in other phases of aviation industry prohibited; unlawful combinations in respect to bids.** (a) After December 31, 1934, it shall be unlawful for any person holding an air-mail contract to buy, acquire, hold, own, or control, directly or indirectly, any shares of stock or other interest in any other partnership, association, or corporation engaged directly or indirectly in any phase of the aviation industry, whether so engaged through air transportation of passengers, express, or mail, through the holding of an air-mail contract, or through the manufacture or sale of airplanes, airplane parts, or other materials or accessories generally used in air transportation, and regardless of whether such buying, acquisition, holding, ownership, or control is done directly, or is accomplished indirectly, through an agent, subsidiary, associate, affiliate, or by any other device whatsoever: *Provided*, That the prohibitions herein contained shall not extend to interests in landing fields, hangars, or other ground facilities necessarily incidental to the performance of the transportation service of such air-mail contractor, nor to shares of stock in corporations whose principal business is the maintenance or operation of such landing fields, hangars, or other ground facilities.

(b) After December 31, 1934, it shall be unlawful (1) for any partnership, association, or corporation, the principal business of which, in purpose or in fact, is the holding of stock in other corporations, or (2) for any partnership, association, or corporation engaged directly or indirectly in any phase of the aviation industry, as specified in subsection (a) of this section, to buy, acquire, hold, own, or control, directly or indirectly, either as specified in such subsection (a) or otherwise, any shares of stock or other interests in any other partnership, association, or corporation which holds an air-mail contract.

(c) No person shall be qualified to enter upon the performance of an air-mail contract, or thereafter to hold an air-mail contract, if at or after the time specified for the commencement of mail transportation under such contract, such person is (or, if a partnership, association, or corporation, has and retains a member, officer, or director that is) a member, officer, director, or stockholder in any other partnership, association, or corporation, whose principal business, in purpose or in fact, is the holding of stock in other corporations, or which is engaged in any phase of the aviation industry, as specified in subsection (a) of this section.

(d) No person shall be qualified to enter upon the performance of, or thereafter to hold an air-mail contract, (1) if at or after the time specified for the commencement of mail transportation under such contract, such person is (or, if a partnership, association, or corporation, has a member, officer, or director, or an employee performing general managerial duties, that is) an individual who has theretofore entered into any unlawful combination to prevent the making of any bids for carrying the mails: *Provided*, That whenever required by the Postmaster General the bidder shall submit an affidavit executed by the bidder, or by such of its officers, directors, or general managerial employees as the Postmaster General may designate, sworn to before an officer authorized and empowered to administer oaths, stating in such affidavit that the affiant has not entered nor proposed to enter into any combination to prevent the making of any bid for carrying the mails, nor made any agreement, or given or performed, or promised to give or perform, any consideration whatever to induce any other person to bid or not to bid for any mail contract, or (2) if it pays any officer, director, or regular employee compensation in any form, whether as salary, bonus, commission, or otherwise, at a rate exceeding \$17,500 per year for full time. (June 12, 1934, c. 466, § 7, 48 Stat. 936.)

**§ 469f. Claims on account of annulled contracts; jurisdiction eligibility of contractors.** Any company alleging to hold a claim against the Government on account of any air-mail contract that may have heretofore been annulled, may prosecute such claim as it may have against the United States for the cancellation of such contract in the Court of Claims of the United States, provided that such suit be brought within one year from June 12, 1934; and any person not ineligible under the terms of sections 463 and 469 to 469s of this title who qualifies under the other requirements of sections 463 and 469 to 469s of this title, shall be eligible to contract for carrying air mail, notwithstanding the provisions of section 432 of this title. (June 12, 1934, c. 466, § 8, 48 Stat. 937.)

**§ 469g. Corporate and financial set-up of bidders; information to be submitted with bids; considerations in awarding contracts.** Each person desiring to bid on an air-mail contract shall be required to furnish in its bid a list of all the stockholders holding more than 5 per centum of its entire capital stock, and of its directors, and a statement covering the financial set-up, including a list of assets and liabilities; and in the case of a corporation, the original amount paid to such corporation for its stock, and whether paid in cash, and if not paid in cash, a statement for what such stock was issued. Such information and the financial responsibility of such bidder, as well as the bond offered, may be taken into consideration by the Postmaster General in determining the qualifications

of the bidder. (June 12, 1934, c. 466, § 9, 48 Stat. 937.)

**§ 469h. Books, records and accounts, credits and reports.** All persons holding air-mail contracts shall be required to keep their books, records, and accounts under such regulations as may be promulgated by the Postmaster General, and he is hereby authorized to examine and audit the books, records, and accounts of such contractors and to require a full financial report under such regulations as he may prescribe. (June 12, 1934, c. 466, § 10, 48 Stat. 937.)

**§ 469i. Equipment; character of to be specified by Secretary of Commerce.** Before the establishment and maintenance of an air-mail route the Postmaster General shall notify the Secretary of Commerce, who thereupon shall certify to the Postmaster General the character of equipment to be employed and maintained on each air-mail route. In making this determination the Secretary of Commerce, in his specifications furnished to the Postmaster General, shall determine only the speed, load capacity, and safety features and safety devices on airplanes to be used on the route, which said specifications shall be included in the advertisement for bids. (June 12, 1934, c. 466, § 11, 48 Stat. 937.)

**§ 469j. Flying hours; retirement benefit agreements; regulation by Secretary of Commerce.** The Secretary of Commerce is authorized and directed to prescribe the maximum flying hours of pilots on air-mail lines, and safe operation methods on such lines, and is further authorized to approve agreements between air-mail operating companies and their pilots and mechanics for retirement benefits to such pilots and mechanics. The Secretary of Commerce is authorized to prescribe all necessary regulations to carry out the provisions of this section and section 469i of this title. (June 12, 1934, c. 466, § 12, 48 Stat. 937.)

**§ 469k. Working conditions; compliance with decisions of National Labor Board.** It shall be a condition upon the awarding or extending and the holding of any air-mail contract that the rate of compensation and the working conditions and relations for all pilots, mechanics, and laborers employed by the holder of such contract shall conform to decisions of the National Labor Board. This section shall not be construed as restricting the right of collective bargaining on the part of any such employees. (June 12, 1934, c. 466, § 13, 48 Stat. 937.)

**§ 469l. Radio frequencies; allocation.** The Federal Communications Commission shall give equal facilities in the allocation of radio frequencies in the aeronautical band to those airplanes carrying mail and/or passengers during the time the contract is in effect. (June 12, 1934, c. 466, § 14, 48 Stat. 938; June 19, 1934, c. 652, § 303, 48 Stat. 1082.)

**§ 469m. Number of contracts; limitation on; merger of competing parallel lines.** After March 1, 1935, no person holding a contract or contracts for carrying air mail on a primary route shall be awarded or hold any contract [sic] for carrying air mail on any other primary route, nor on more than two additional routes other than primary routes. It shall be unlawful for air-mail contractors, competing in parallel routes, to merge or to enter into any agreement, express or implied, which may result in common control or ownership. (June 12, 1934, c. 466, § 15, 48 Stat. 938, as amended June 26, 1934, c. 762, § 2, 48 Stat. 1243.)

**§ 469n. Service to Canada.** The Postmaster General may provide service to Canada within one hundred and fifty miles of the international boundary line, over domestic routes which are now or may hereafter be established and may authorize the carrying of either foreign or domestic mail, or both, to and from any points on such routes and make payment for services over such routes out of the appropriation for the domestic Air Mail Service: *Provided*, That this section shall not be construed as repealing the authority given by section 465a of this title. (June 12, 1934, c. 466, § 16, 48 Stat. 938.)

**§ 469o. Cancellation of contracts; grounds.** The Postmaster General may cause any contract to be canceled for willful disregard of or willful failure by the contractor to comply with the terms of its contract or the provisions of law herein contained and for any conspiracy or acts designed to defraud the United States with respect to such contracts. This provision is cumulative to other remedies now provided by law. (June 12, 1934, c. 466, § 17, 48 Stat. 938.)

**§ 469p. Combinations in restraint of bidding; penalty.** Whoever shall enter into any combination, understanding, agreement, or arrangement to prevent the making of any bid for any contract under sections 463 and 469 to 469s of this title, to induce any other person not to bid for any such contract, or to deprive the United States Government in any way of the benefit of full and free competition in the awarding of any such contract, shall, upon conviction thereof, be fined not more than \$10,000 or imprisoned for not more than five years, or both. (June 12, 1934, c. 466, § 18, 48 Stat. 938.)

**§ 469q. Penalty for offenses.** If any person shall willfully or knowingly violate any provision of sections 463 and 469 to 469s of this title his contract, if one shall have been awarded to him, shall be forfeited, and such person shall upon conviction be punished by a fine of not more than \$10,000 or be imprisoned for not more than five years. (June 12, 1934, c. 466, § 19, 48 Stat. 938.)

**§ 469r. Commission to study aviation authorized; compensation.** The President is hereby authorized to appoint a Commission composed of five members to be appointed by him, not more than three members to be appointed from any one political party, for the purpose of making an immediate study and survey, and to report to Congress not later than February 1, 1935, its recommendations of a broad policy covering all phases of aviation and the relation of the United States thereto. Members appointed who are not already in the service of the United States shall receive compensation of not exceeding the rate of compensation of a Senator or Representative in Congress. (June 12, 1934, c. 466, § 20, 48 Stat. 938.)

**§ 469s. Same; organization; powers.** Such Commission shall organize by electing one of its members as chairman, and it shall appoint a secretary whose salary shall not exceed the rate of \$5,000 per annum. Said Commission shall have the power to pay actual expenses of members of the Commission in the performance of their duties, to employ counsel, experts, and clerks, to subpoena witnesses, to require the production by witnesses of papers and documents pertaining to such matters as are within the jurisdiction of the Commission, to administer oaths, and to take testimony, and for such purpose there is hereby authorized to be appropriated the sum of \$75,000. (June 12, 1934, c. 466, § 21, 48 Stat. 938.)

#### Chapter 14.—CARRYING THE MAIL

Sec.	
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503.	Freight charges on property transferred.
504.	Transfer of motor vehicles, aeroplanes, machinery, and tools to Postmaster General for use in Postal Service.

**Section 481. What are post roads.** The following are established post roads:

All the waters of the United States, during the time the mail is carried thereon.

All railroads or parts of railroads which are now or hereafter may be in operation.

All canals, during the time the mail is carried thereon.

All plank roads, during the time the mail is carried thereon.

The road on which the mail is carried to supply any courthouse which may be without a mail, and the road on which the mail is carried under contract made by the Postmaster General for extending the line of posts to supply mails to post offices not on any established route, during the time such mail is carried thereon.

All letter-carrier routes established in any city or town for the collection and delivery of mail matters. (R. S. § 3964.)

From Act June 8, 1872, c. 335, §§ 200-205, 17 Stat. 308, 309.

**§ 482. Post routes.** All public roads and highways while kept up and maintained as such are post routes. (Mar. 1, 1884, c. 9, 23 Stat. 3.)

**§ 483. Provisions for carrying the mail.** The Postmaster General shall provide for carrying the mail on all post roads established by law, as often as he, having due regard to productiveness and other circumstances, may think proper. (R. S. § 3965.)

From Act June 8, 1872, c. 335, § 215, 17 Stat. 309.

**§ 484. Mail to every courthouse.** The Postmaster General shall cause a mail to be carried from the nearest post office on any established post road to the courthouse of any county in the United States which is without a mail. (R. S. § 3966.)

From Act June 8, 1872, c. 355, § 216, 17 Stat. 309.

**§ 485. Carrying the mail on canals.** The Postmaster General may contract for carrying the mail on the navigable canals of the several States, when, in his opinion, the public interest or convenience requires it. (R. S. § 3967.)

From Act June 8, 1872, c. 335, § 217, 17 Stat. 310.

**§ 486. Carrying the mail on plank roads.** The Postmaster General may contract for carrying the mail on any plank road in the United States, when the public interest or convenience requires it. (R. S. § 3968.)

From Act June 8, 1872, c. 335, § 218, 17 Stat. 310.

**§ 487. Carrying the mail on waters of the United States.** The Postmaster General may cause the mail to be carried in any steamboat or other vessel used as a packet on any of the waters of the United States. (R. S. § 3969.)

From Act June 8, 1872, c. 335, § 219, 17 Stat. 310.

**§ 488. Emergency mail service in Alaska.** The Postmaster General may provide difficult or emergency mail service in Alaska, including the establishment and equipment of relay stations, in such manner as he may think advisable without advertising therefor. (Feb. 21, 1925, c. 283, 43 Stat. 960.)

**§ 489. Extending line of posts; compensation.** The Postmaster General may enter into contracts for extending the line of posts to supply mails to post offices not on any established route, and, as a compensation for carrying the mail under such contracts, may allow not exceeding two-thirds of the salary paid to the postmaster at such special offices. (R. S. § 3971.)

From Act June 8, 1872, c. 335, § 221, 17 Stat. 310.

**§ 490. Selecting post roads.** [Repealed.]

This section (R. S. § 3972) was repealed by § 1 of Act Feb. 28, 1933, c. 131, 47 Stat. 1349.

**§ 491. Change of post-road terminus.** [Repealed.]

This section (R. S. § 3973) was repealed by § 1 of Act Feb. 28, 1933, c. 131, 47 Stat. 1349.

**§ 492. Discontinuing service on post road.** Whenever, in the opinion of the Postmaster General, the postal service cannot be safely continued, the revenues